

Remarks/Arguments:

The pending claims are 1-18. Claims 4-9 have been canceled. Claims 1, 10, and 12 have been amended. Claims 19 and 20 have been added. No new matter is introduced therein.

Page 9 of the specification has been amended to correct a minor error.

Claims 1-5, 9-11, 13, and 16 have been rejected under 35 U.S.C. § 103(a) as unpatentable over Bohacik et. al (U.S. Patent No. 5,682,644) in view of Sasame et al. (U.S. Patent No. 3,929,596). Amended claim 1 recites, in part:

a cover covering a portion of the case;

the spring is placed between the cover and the rotor, so that the cover, the case, the rotor, and the spring are rotatable simultaneously.

The simultaneous rotation of these elements of applicants' invention is disclosed at least on page 7, lines 12-16.

Page 3 of the Office Action has correlated abutment means 44 of Bohacik to the "cover" recited in amended claim 1; cam 15 to the "rotor;" and housing 11 to the "case" in amended claim 1. "Once the desired compression of the outer coil spring 42 has taken place, the abutment means 44 may be permanently fixed in any suitable manner." (col. 6, lines 6-8). There is no disclosure in Bohacik that spring 42 is rotatable. There is also no disclosure or suggestion in Bohacik that abutment ("cover") means 44 is rotatable simultaneously with cam ("rotor") 15, housing ("case") 11, and spring 42. The simultaneous rotation recited in amended claim 1 has an advantage in that it prevents friction between spring 6 and cover 5 or between spring 6 and rotor 3. The combination of the attached cover and the lubricating washer prevents a jerky feeling when case 8 is rotated for opening and closing. A smooth open/close operation is realized. (page 7, lines 12-22). Sasame also fails to teach or suggest all of the features recited in amended claim 1. Accordingly, claim 1 and dependent claims 2, 3, 10, 11, 13, and 16 are not subject to rejection under 35 U.S.C. § 103(a) as unpatentable

over Bohacik in view of Sasame. The rejection of claims 4, 5, and 9 based on these references is moot because those claims have been canceled.

Claims 14 and 15 have been rejected under 35 U.S.C. § 103(a) as unpatentable over Bohacik in view of Sasame in further view of Murray (U.S. Patent No. 5,996,178) and Bancroft (U.S. Patent No. 4,713,861). Claims 14 and 15 depend from amended claim 1. As discussed above, neither Bohacik nor Sasame disclose or suggest all of the features recited in amended claim 1. In addition, although Murray and Bancroft generally disclose hinge devices, neither of them disclose or suggest all of the features recited in amended claim 1. Nor do all of the four references, if combined, disclose or suggest all of the features recited in amended claim 1. Consequently, dependent claims 14 and 15 are also not subject to rejection based upon the cited four references.

Claim 17 has been rejected under 35 U.S.C. § 103(a) as unpatentable over Bohacik in view of Sasame in further view of JP 6323325A. Claim 17 depends from amended claim 1. The English language Abstract of JP '325 discloses only the use of certain elements to provide lubricating qualities for a washer. JP '325 in combination with Bohacik and Sasame do not disclose or suggest all of the features recited in amended claim 1. Accordingly, dependent claim 17 is not subject to the stated rejection.

Claim 18 has been rejected under 35 U.S.C. § 103(a) as unpatentable over Bohacik in view of Sasame in further view of Wilcox et al. (U.S. Patent No. 5,628,089). Claim 18 depends from amended claim 1. Wilcox in combination with Bohacik and Sasame do not disclose or suggest all of the features recited in amended claim 1. Accordingly, dependent claim 18 is not subject to the stated rejection.

Newly added claim 19, based on Fig. 5, recites, in part

a cover covering a portion of the case and fixed to the stationary part of the second device, the cover being rotatable with respect to the case;

* * * * *

the spring is placed between the cover and the rotor, so that the case and the rotor are rotatable against the stator, and the rotor is rotatable against the cover.

These features are supported by page 9, line 28-page 10, line 3. They are not disclosed or suggested by Bohacik. First, in Bohacik, abutment means ("cover") 44 is fixed to housing ("case") 11 (col. 5, lines 65-67; col. 6, lines 6-8) which rotates (see, e.g., col. 2, lines 10-11;

col. 6, lines 31-32). In contrast, claim 19 recites that the cover is fixed to "the stationary part of the second device." (emphasis added). Second, since "cover" 44 is threaded into "case" 11, they each must rotate together. In contrast, claim 19 recites that the cover is "rotatable with respect to the case." Third, claim 19 recites that because "the spring is placed between the cover and the rotor," the case is rotatable against stator. In contrast, in Bohacik, stator 14 is rotatable against "case" because stator 14 is secured to pin 16 which rotates relative to "case" 11. (col. 3, lines 43-53). Fourth, claim 19 recites that because "the spring is placed between the cover and the rotor," "the rotor is rotatable against the cover." In contrast, in Bohacik, rotor 15 does not rotate against abutment means ("cover") 44. For all of these reasons, claim 19 is not subject to rejection over Bohacik.

Claim 12 has been rejected under 35 U.S.C. § 103(a) as unpatentable over Bohacik in view of Sasame in further view of Mischenko (U.S. Patent No. 6,065,187). At the time of the Office Action, claim 12 depended from claims 1, 4, and 8. Claim 12 has now been amended to depend from claim 19. Since neither Sasame nor Mischenko disclose or suggest the features recited in claim 19, dependent claim 12 is also not subject to a rejection based upon all three references.

Newly added claim 20, based on Fig. 4, recites, in part

a cover covering an opening of a second end face of the case, the cover rotatable with respect to the case which rotates with the rotor;

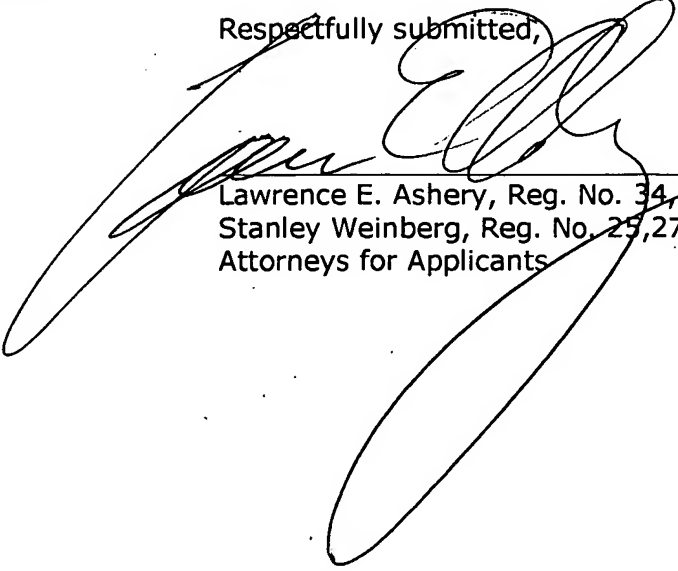
a fix shaft having one end fixed to the stator and an other end fixed to the cover.

These features are not shown in Bohacik. The Office Action has designated abutment means 44 as the "cover" in Bohacik. However, abutment means 44 rotates with the housing ("case") 11, rather than being "rotatable with respect to the case" (emphasis added) as recited in amended claim 20. In addition, Bohacik does not disclose or suggest a "fix shaft having one end fixed to the stator and an other end fixed to the cover." Although Bohacik shows a pin 16 that fixed to stator 14, the other end of pin 16 is not fixed to abutment means 44. Similarly, although Bohacik shows a guide pin 48, it is not fixed to stator 14. Instead, guide pin 48 is

inserted into counterbore 50 of pin 16. (col. 5, lines 56-59). For all of these reasons, claim 20 is not subject to rejection based upon Bohacik.

For all of the above reasons, claims 1-3 and 10-20 are now in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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